

**CENTRAL TRANSPORT
INTERNATIONAL, INC.,**

Plaintiff,

vs.

**GENERAL ELECTRIC COMPANY,
and SABIC INNOVATIVE PLASTICS
US LLC,**

Defendants.

THIS MATTER is before the Court on Defendants’ Joint Motion to Dismiss Counts I and III of the Amended Complaint (Doc. No. 11), Plaintiff’s Opposition to Defendants’ Motion to Dismiss Counts I and III of the Amended Complaint and, in the Alternative, Motion for Leave to File a Second Amended Complaint (Doc. No. 13), Defendants’ Reply to Plaintiff’s Response, and the magistrate judge’s Memorandum and Recommendation (“M&R”) (Doc. No. 23). The M&R recommended that the Defendants’ Motion to Dismiss be granted and that Plaintiff’s Alternative Motion for Leave to File a Second Amended Complaint be denied. The parties were advised that objections were to be filed in writing within ten (10) days after service of the magistrate judge’s decision. (Doc. No. 23: M & R at 7-8). The time for filing objections has since passed and no objections have been filed by either party in this matter. For the reasons stated below, the Court GRANTS the Defendants’ Motion to Dismiss and DENIES Plaintiff’s Alternative Motion for Leave to File a Second Amended Complaint.

I. STANDARD OF REVIEW

The Federal Magistrate Act provides that a district court “shall make a de novo determination of those portions of the report or specific proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C); Camby v. Davis, 718 F.2d 198, 198 (4th Cir. 1983). “By contrast, in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

II. CONCLUSION

Accordingly, after a careful review of the record in this case, the Court finds that the magistrate judge’s findings of fact are supported by the record and his conclusions of law are consistent with and supported by current case law. Thus, the Court hereby accepts the M&R of Magistrate Judge Horn and adopts it as the final decision of this Court for all purposes relating to this case.

IT IS, THEREFORE, ORDERED that the Defendants' Motion to Dismiss is **GRANTED** and Plaintiff's Alternative Motion for Leave to File a Second Amended Complaint is **DENIED**.

Signed: August 20, 2008

A handwritten signature in black ink, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
Chief United States District Judge

